

### **REMARKS**

Favorable reconsideration of this application, in light of the preceding, amendments and following remarks, is respectfully requested. Claims 1, 15-17, 19-22, 27-28 and 30-37 are pending in this application. By this Amendment, claims 1 and 19-22 are amended. By this Amendment, no claims are added or cancelled. Claims 1, 19, 20, 21, and 22 are the independent claims.

### **Examiner Interview**

Applicants thank the Examiner for granting the telephone interview conducted on February 3, 2009. In accordance with our discussion, Applicants have amended the independent claims to further clarify the “parental control”, as well as the “path item” and “wherein the clip information file, the playlist file and the navigation file are separate from each other” of the independent claims. Applicants believe that the preceding amendments overcome the cited references for the reasons indicated during the interview and discussed below.

### **Rejections under 35 U.S.C. § 103**

The Examiner rejects claims 1, 15-17, 19-22, 27-28 and 30-37 under 35 U.S.C. § 103(a) as being unpatentable over Kato (U.S. Patent Publication No. 2002/0145702, hereinafter “Kato”) in view of Kaneshige (U.S. Patent No. 5,913,020, hereinafter “Kaneshige”) and further in view of Sugimoto (U.S. Patent Publication No. 2001-0038745). Applicants respectfully traverse this rejection for the reasons detailed below.

First, Applicants amended claim 1 to recite, *inter alia*, “the path item providing **parental control information** for the at least one of video and audio data.” As discussed during the interview, the Examiner interprets the parental control feature of claim 1 as “providing control of

a path item by a user, who may be a parent.” Because of this interpretation, the Examiner states that Sugimoto discloses this feature because Sugimoto discloses a user selecting a particular reproduction path. Applicants do not believe this interpretation is correct. In an effort to clarify the parental control feature of claim 1, Applicants amended claim 1 to indicate that the path item provides parental control **information**. As a result, Sugimoto (or Kato and Kaneshige) cannot possibly disclose this feature because the parental control of claim 1 is related to **information** provided by the path item – not to a user who may be a parent.

Second, Applicants amended claim 1 to recite, *inter alia*, “wherein the stream file, the clip information file, the playlist file and the navigation file are separate and have different **file extensions** from each other.” In the Office Action, the Examiner relies upon Kaneshige as disclosing a navigation file being separate from the stream file, clip information file and playlist file. FIG. 17 of Kaneshige illustrates a NV\_PCK (allegedly corresponding to the navigation file of claim 1) and an A\_PCK and V\_PCK (allegedly corresponding to another area separate from the navigation file). As discussed during the interview, the NV\_PCKs of Kaneshige are **interleaved** with the A\_PCK and V\_PCK within one Video Object Unit (VOBU). In other words, the NV\_PCKs, A\_PCKs and V\_PCKs are **intermixed** within one Video Object Unit (VOBU). None-the-less, to expedite prosecution and without conceding to the Examiner’s current position, Applicants have further clarified this feature by providing that the stream file, the clip information file, the playlist file and the navigation file have **different file extensions** from each other. Because the NV\_PCKs, A\_PCKs and V\_PCKs are contained within one VOB, Kaneshige cannot possibly disclose “wherein the stream file, the clip information file, the playlist file and the navigation file are separate and have different **file extensions** from each other” as required by claim 1.

Third, Applicants amended claim 1 to recite, *inter alia*, “the path item including **a first navigation command** for launching a playlist file and **a second navigation command** for proceeding to a next path item.” In the Office Action, the Examiner relies upon Sugimoto as disclosing the “path item” within the meaning of claim 1. For instance, the Examiner asserts that the playlist search pointer table PL\_SRPT discloses the “path item” of claim 1. Applicants disagree. None-the-less, to expedite prosecution and without conceding to the Examiner’s current position, Applicants have amended claim 1 to clarify the “path item” feature. Claim 1 requires that the path item include **a first navigation command** for launching a playlist file and **a second navigation command** for proceeding to a next path item. Applicants submit that the playlist search pointer table PL\_SRPT of Sugimoto does not disclose these features. For example, the playlist search pointer table PL\_SRPT records playlist search pointer table information PL\_SRPTI and n playlist search pointers PL\_SRP. See Sugimoto, paragraph [0207]. Neither the playlist search pointer table information PL\_SRPTI nor the n playlist search pointers PL\_SRP launch a playlist file or provide a command proceeding to a next path item.

Therefore, Sugimoto cannot disclose “the path item including **a first navigation command** for launching a playlist file and **a second navigation command** for proceeding to a next path item” as required by claim 1. Accordingly, Sugimoto, Kato, and Kaneshige, alone or in combination, cannot render claim 1 obvious to one of ordinary skill in the art.

Independent claims 19-22 have been amended to include features similar to the above-identified features of claim 1, and are patentable for at least the same reason stated above. Claims 15-17, 27-28 and 30-37, dependent on claims 1 and 19-22, are patentable for at least the same reasons stated above. The Applicants, therefore, respectfully request that the rejection to claims 1, 15-17, 19-22 and 27-28 and 30-37 under 35 U.S.C. § 103(a) be withdrawn.

**Double Patenting**

The Examiner provisionally rejects claims 1, 15-17, 19-22, 27-28 and 30-37 on the grounds of nonstatutory obviousness-type double patenting as being unpatentable over claims 1, 38, 39 40, 41-43 of copending Application No. 10/715,511 in view of Sugimoto. Concurrently with the filing of this Amendment, Applicants have filed a terminal disclaimer to overcome this rejection.

**CONCLUSION**

In view of the above remarks and amendments, the Applicants respectfully submit that each of the pending objections and rejections has been addressed and overcome, placing the present application in condition for allowance. A notice to that effect is respectfully requested. If the Examiner believes that personal communication will expedite prosecution of this application, the Examiner is invited to contact the undersigned.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Gary D. Yacura, at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKEY, & PIERCE, P.L.C.

By

  
\_\_\_\_\_  
Gary D. Yacura, Reg. No. 35,416

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/JBS:gew  
